

**United States Court of Appeals
for the Ninth Circuit**

**C. F. (Frank) Vulliet, a/k/a
Charles F. Vulliet,**

Plaintiff/Appellant,

v.

**State of Oregon; Kate Brown, in
her official capacity as Secretary
of State of Oregon; and Stephen
N. Trout, in his official capacity
as Director of Elections Division
of the Secretary of State's Office,**

Defendants/Appellees.

No. 13-35224

Motion to Reinstate Appeal

Appellant C. F. (Frank) Vulliet requests the Court to reinstate the above captioned appeal dismissed May 28, 2014 for alleged failure to respond to an order of the Court dated March 25, 2014.

This motion is based on the following facts:

1. Appellant never sought to proceed *in forma pauperis* in this appeal nor has he sought similar relief.

2. The order entered March 25, 2014 appears to have been entered erroneously and to relate to another case (likely a prisoner appeal), but was mistakenly identified with this file number.

3. Appellant timely paid the required filing fee at the initiation of this appeal which has to do with the Constitutionality of certain provisions of Oregon election law.

4. Under the circumstances the order entered March 25, 2014 should be rescinded or vacated and perhaps re-entered with respect to the proper case.

5. The order entered May 28, 2014 should be rescinded or vacated, the appeal fully reinstated without prejudice to any party, and the district court advised accordingly.

DATED: May 30, 2014.

s/ C. F. VULLIET

C. F. (Frank) Vulliet, *pro se*

OSB 84-130(8)

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Certificate of Service

I certify that on May 30, 2014 I served the forgoing pleading, Appellant's Motion to Reinstate Appeal upon all Defendants-Appellees by E-File and Fax addressed as follows:

Fax: (971) 673-5000

s/ C. F. VULLIET

C. F. (Frank) Vulliet, *pro se*
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JURAT: C. F. (Frank) Vulliet declares under penalties of perjury that the factual matters stated above and based upon his personal knowledge, are true and correct, and that other facts stated are true and accurate upon his information and belief.

s/ C. F. Vulliet

DATED: May 30, 2014

PLACE: Sunriver, OR 97707.